

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**UNITED STATES OF AMERICA**

**-vs-**

**06-4038-01-CR-C-NKL**

**MICHAEL WAYNE SCHOUTEN**

**USM Number: 18440-045**

Troy K. Stabenow, FPD  
221 Bolivar St., Ste. 104  
Jefferson City, MO 65101

**AMENDED JUDGMENT IN A CRIMINAL CASE  
(For Revocation of Probation or Supervised Release)  
Date of Original or Last Amended Judgment: January 28, 2008**

**Reason for Amendment:**

Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

**THE DEFENDANT:**

admitted guilt to violation of the following conditions of the term of supervision.

The defendant is adjudicated guilty of these violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
Mandatory Condition	The defendant shall refrain from any unlawful use of a controlled substance.	November 16, 2007
Mandatory Condition	The defendant shall pay restitution totaling \$428.50 and a Special Assessment totaling \$100.00, at the rate of at least \$25.00 per month (as modified by the Court on September 12, 2007), by the 15 <sup>th</sup> of each month, beginning October 15, 2007.	December 15, 2007
Special Condition	The defendant shall successfully participate in and reside in the pre-release component of the residential re-entry center program at Reality House Programs, Inc., for 3 months, or until discharged by the center director after consulting with the probation officer. The defendant shall pay any associated costs as directed by the probation officer.	October 1, 2007

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

**IT IS FURTHER ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:  
January 25, 2008

Defendant's Date of Birth: 1976  
Deft's U.S. Marshal No.: 18440-065

Defendant's Mailing Address:  
1411 B. Windsor  
Columbia, MO 65201

Nanette K. Laughrey  
NANETTE LAUGHREY  
UNITED STATES DISTRICT JUDGE

February 20, 2008

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **6 Months** for violation of the conditions of supervision.

The defendant is remanded to the custody of the United States Marshal.

## RETURN

I have executed this judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
Deputy U.S. Marshal

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years for violation of the conditions of supervision.**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

## **STANDARD CONDITIONS OF SUPERVISION**

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;

12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

### **ADDITIONAL CONDITIONS OF SUPERVISED RELEASE**

The defendant shall also comply with the following additional conditions of supervised release:

1. The defendant shall pay the balance of the restitution originally imposed. The current balance is \$428.50.
2. The defendant shall pay the remaining balance of the \$100.00 special assessment that was previously imposed.
3. The defendant shall successfully participate in a substance abuse testing program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office, and pay any associated costs as directed by the Probation Office.
4. The defendant shall submit his person, residence, office or vehicle to a search, conducted by a U.S. Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
5. The defendant shall not incur new credit card charges or open additional lines of credit without the approval of the Probation Office.
6. The defendant shall provide the Probation Officer access to any requested financial information.
7. The defendant shall successfully participate in any mental health counseling program, as approved by the Probation Office, and pay any associated costs, as directed by the Probation Office.
8. The defendant shall reside in, and satisfactorily participate in, the pre-release component of a residential re-entry center program, until discharged by the center director after consultation with the Probation Office, for a period not to exceed 120 days.

### **ACKNOWLEDGMENT OF CONDITIONS**

I have read or have had read to me the conditions of supervision set forth in this judgment and I fully understand them. I have been provided a copy of them.

I understand that upon finding of a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States Probation Officer

\_\_\_\_\_  
Date

## CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

**Total Assessment**

**\$100.00**

**Total Fine**

**\$**

**\*Total Restitution**

**\$428.50**

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

Note: Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

\* See separate Restitution Judgement for further details